

**Attorney Docket No. 020431.0917**

~~~~~

Confirmation No.: 1757

Petition Under 37 C.F.R. § 1.181(a)  
Attorney Docket No. 020431.0917  
Serial No. 09/970,371  
Page 1 of 2

Two declarations (practitioner and patent paralegal, with first-hand knowledge) in support of this petition are submitted electronically herewith along with additional supporting documentation establishing Applicant's failure to receive Office Action mailed on 25 January 2008. As additional support of Applicant's request, Applicant notes that the file history of the subject application reveals that the Office Action dated 25 January 2008 was returned to the USPTO as undeliverable mail on 4 February 2008. Applicant is also submitting electronically herewith the response to the Office Action dated 25 January 2008.

Applicant believes that no fee is due with this petition and hereby requests a withdrawal of the holding of abandonment in the above-identified application.

15 October 2008

Date

/Steven J. Laureanti/signed

Steven J. Laureanti, Registration No. 50,274

BOOTH UDALL, PLC  
1155 W. Rio Salado Pkwy., Ste. 101  
Tempe AZ, 85281  
214.636.0799 (mobile)  
480.830.2700 (office)  
480.830.2717 (fax)  
steven@boothudall.com